

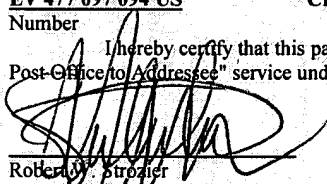


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MATTINGLY ET AL
SERIAL NO: 10/074,700
FILED: 2/13/02

§ EXAMINER: TATE, C.
§ GROUP ART UNIT: 1654
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FOR: FORMULATIONS AND METHODS
FOR INSECT CONTROL

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|  Robert J. Broder | | March 21, 2005 Date of Signature |

RESPONSE TO 20 OCTOBER 2004 NON-FINAL OFFICE ACTION

Dear Examiner Tate:

In response to the Non-Final Office Action dated **20 October 2004** Applicants submit the following amendments and remarks:

SUMMARY OF NON-FINAL OFFICE ACTION

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| Claims 35-36, 38-42, 44-50 and 60-68 | 112, 1 st paragraph |
| Claims 35, 38-39, 41-42, 44-45, 48 and 50 | 102(b), Jong et al. + ATCC Catalogue |
| Claim 35, 38-39, 41-42, 44-45, 48 and 50 | 102(b), Kobayashi + ATCC Catalogue |
| Claims 35, 38-39, 41-42, 44-45, 48 and 50 | 102(b), Nippon Life KK + ATCC Catalogue |
| Claims 35-36, 38-39, 41-42, 44-45, 48 and 50 | 102(b), Matsuda + ATCC Catalogue |
| Claims 35, 38-39, 41-42, 44-45, 48 and 50 | 102(b), Kobayashi et al. + ATCC Catalogue |
| Claims 35-36, 38-39, 41-42, 44-45, 48 and 50 | 102(b), ATCC Catalogue |
| Claims 35-36, 38-39, 41-42, 44-45, 48 and 50 | 103(a), Jong et al. + ATCC Catalogue, Kobayashi + ATCC Catalogue, Nippon Life KK + ATCC Catalogue, Matsuda + ATCC Catalogue, Kobayashi et al. + ATCC Catalogue or ATCC Catalogue |